

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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DEC - 4 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
Revision of the Commission's Rules)
To Ensure Compatibility with)
Enhanced 911 Emergency)
Calling Systems)

CC Docket No. 94-102

To: Chief, Wireless Telecommunications Bureau

REQUEST FOR RULE WAIVER

Missouri RSA No. 7 Limited Partnership ("Mid-Missouri"), by its attorneys, pursuant to the FCC's Order in the above-referenced proceeding released on November 13, 1998,¹ hereby files its request for waiver ("Waiver") of Section 20.18 of the Commission's Rules. In the Order, the FCC extends forbearance of enforcement of Section 20.18 until December 31, 1998, and requires entities that will be non-compliant as of that date to file requests for waiver by December 4, 1998. Mid-Missouri will be non-compliant with Section 20.18 upon its enforcement due to the unavailability of compliant equipment from Mid-Missouri's equipment vendor. Accordingly, Mid-Missouri respectfully requests a waiver of Section 20.18 until compliant equipment is commercially available.

Mid-Missouri provides analog and digital wireless service in Missouri RSA 7 - Saline, Market No. 510B, CRS Station KNKN595. Mid-Missouri greatly desires to comply with the

¹In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, Order, rel. Nov. 13, 1998 ("Order").

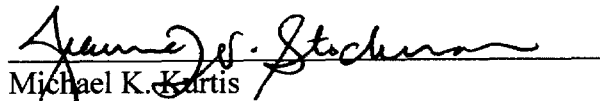
requirements of Section 20.18 and to provide hearing-impaired persons with TTY access to E911 services over its digital wireless network. As the FCC is aware, compliant equipment is not commercially available from Mid-Missouri's equipment vendor to permit Mid-Missouri to offer TTY access to E911 services over its digital wireless network. Thus, this is not a situation where compliance is unduly burdensome for Mid-Missouri, rather, it is impossible for Mid-Missouri to comply with this rule section because there is not compliant equipment available. Because it is impossible for Mid-Missouri to comply with the upcoming December 31, 1998 deadline, Mid-Missouri respectfully requests a waiver of that deadline.

The Order sets forth specific questions that should be answered in support of waivers of the December 31, 1998 deadline. Mid-Missouri submits that these questions relate to the specifications of the equipment that is being developed to provide TTY compatible service, and as such are beyond the scope of information which Mid-Missouri can provide. Therefore, such questions are more appropriately addressed by Mid-Missouri's equipment vendor because the equipment vendor, and not Mid-Missouri, is directly involved in developing compliant equipment. To form the basis of its Waiver, Mid-Missouri requested that its equipment vendor provide responses to all information set forth in the Order in sufficient time to meet the December 4, 1998 waiver deadline. This request is attached as Exhibit A. Because of the depth of information required by the FCC, coupled with the extremely short time period provided from the release date of the Order to the deadline for this waiver request which included an intervening holiday, Mid-Missouri has yet to receive a formal response from its equipment vendor. Mid-Missouri will supplement this filing upon receipt of such response. Mid-Missouri respectfully requests a waiver of Section 20.18 of the Commission's rules until such time as compliant equipment is available from its equipment vendor. In accordance with

the terms of the Order, on a quarterly basis Mid-Missouri will request updated information from its equipment vendor regarding its progress on developing compliant equipment and submit such updates to extend this waiver request. As soon as equipment is commercially available from its equipment vendor, Mid-Missouri intends to comply with Section 20.18 of the Commission's rules.

Respectfully Submitted,

MISSOURI RSA NO. 7 LIMITED PARTNERSHIP



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Dated: December 4, 1998

EXHIBIT A

November 27, 1998

VIA FACSIMILE

Northern Telecom
Ed Breach
2221 Lakeside Blvd.
P.O. Box 833858
Richardson, TX 75083-3858



Re: Compliance with FCC Requirements to Provide 911 TTY Access Over Digital Networks

Dear Ed:

As you are aware, Mid-Missouri Cellular currently utilizes your Northern Telecom's analog and soon to be IS-136 infrastructure equipment to provide digital cellular service throughout its licensed service area.

Section 20.18 of the Federal Communication Commission's ("FCC" or "Commission") rules requires non-discriminatory access to state and local government services such as 911 for people with speech or hearing disabilities. Specifically, the Commission's rules require that all licensees provide TTY access to 911 services over cellular, PCS and certain SMR networks. Until now, the FCC has not enforced this requirement with respect to carriers operating in the digital format. We understand that this forbearance has been based upon the recognition by the FCC that none of the current digital protocols (TDMA, CDMA, iDEN or GSM) are capable of passing TTY data with an acceptable error rate.

The FCC has recently extended the period for which it will forebear from enforcing the requirements of Section 20.18 against digital carriers to **December 31, 1998**. Non-compliant licensees must seek a waiver of this deadline by **December 4, 1998**.¹

Notwithstanding the FCC's decision to allow further extensions of the forbearance period on a carrier-by-carrier basis, Mid-Missouri Cellular wishes to proceed with the deployment of the necessary system modifications to enable full compliance with the requirements of Section 20.18 as quickly as possible. We therefore ask that you provide us with a projected timetable of the availability of the requisite infrastructure equipment to enable the system that we presently have operating to be fully compliant. In addition, we ask that you provide us with a formal quote for that upgrade as soon as it has completed any requisite FCC type acceptance procedures and becomes commercially available. In addition, we ask that you provide us with the names of any alternate system suppliers which might provide this functionality on an ancillary basis, with equipment that is capable of interfacing with the infrastructure equipment which you have provided.

¹In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, Order, rel. Nov. 13, 1998.

Until such time as you can provide us with the requisite infrastructure upgrades to enable us to fully comply with the requirements of Section 20.18, we must seek a formal waiver of that rules from the FCC. This waiver must be filed by December 4, 1998.

In support of that waiver, the FCC is requiring certain technical information to be included in the waiver in order for it to receive favorable consideration. However, most of the information sought by the FCC appears to pertain to equipment vendors' ability to supply digital wireless licensees with compliant equipment. Accordingly, in addition to the information requested above, we ask that you provide us with specific responses to the items presented below. Mid-Missouri Cellular intends to submit a copy of your response to the FCC in support of Mid-Missouri Cellular's request for waiver on December 4, 1998. Therefore, if any of the information which you provide in response to any item set forth below is confidential and therefore subject to the non-disclosure provisions of our Supply Agreement, we ask that you submit a formal answer to each item with such specificity which you would allow to be disclosed publicly to the FCC and provide a detailed response (stamped as confidential) as an attachment to your written response to this letter. Because of the FCC's December 4, 1998 deadline for carriers to seek waivers, we must ask that your written response to this letter be forwarded in sufficient time to ensure its receipt by Mid-Missouri Cellular by no later than December 3, 1998.

Questions:

1. Is the infrastructure equipment which you provided to Mid-Missouri Cellular and Mid-Missouri Cellular is presently operating, capable in its current form or with presently commercially available upgrades, of providing full support and access to TTY devices to ensure reliable access to 911 services by persons utilizing such TTY devices sufficient to enable Mid-Missouri Cellular to fully comply with the requirements of Section 20.18 of the FCC's rules? If so, please provide a formal quote and pricing information in accordance with the terms and conditions of our Equipment Supply Agreement. If not, please provide answers to the remaining questions.
- B. What steps is Northern Telecom taking or intending to take to provide carriers utilizing its infrastructure equipment with the ability to provide users of TTY devices with the capability to operate such devices in conjunction with digital wireless systems in compliance with Section 20.18 of the rules?
- C. When do you intend to make this capability available to your infrastructure users to enable them to provide full Section 20.18 compliant service to TTY users? This information should include well-documented timetables and milestones regarding the implementation of this capability.

- D. What reasonable steps are you taking to address the consumer concerns listed below? Where the requested capability is network independent, i.e., your infrastructure equipment could provide that capability now to a common TTY device deployed within the past ten years, please so indicate. Where the system cannot provide that capability to a properly functioning common TTY device deployed within the past 10 years, please indicate whether the item requested is technologically feasible with modification to the infrastructure equipment and, if so, an approximate timeframe for implementation of that capability.

Consumer Concerns:

1. That the character error rate should approximate that of AMPS, which has been demonstrated at <1% for stationary calls.
2. That the TTY caller be able to visually monitor all aspects of call progress provided to voice users. Specifically, the ability to pass through sounds on the line to the TTY (so that the user can monitor ring, busy, answered-in-voice, etc.) should be provided.
3. That there be a visual indication when the call has been disconnected.
4. That volume control capability should be provided.
5. That the TTY user must have a means of tactile (vibrating) ring signal indication.
6. That the caller must be able to transmit TTY tones independent of the condition of the receiving modem. (This is to permit baudot signaling by pressing a key, to let a hearing person know that the incoming call is from a TTY).
7. That the *landline* party's TTY must not require retrofitting in order to achieve the desired error rate.
8. That the *wireless* party's TTY may require retrofitting, or a new model TTY to be developed, or the use of a portable data terminal such as a personal digital assistant.
9. That VCO and HCO should be supported where possible.
10. That reduction of throughput (partial rate) on Baudot is highly undesirable and should not be relied upon to achieve compliance (See #7). It may be useful as a user-selectable option to improve accuracy on a given call.

11. That call information such as ANI and ALI, where provided in wireless voice, should also be provided for TTY calls.
12. That the solution need not support seldom little-used or obsolete TTY models, but in general should support the embedded base of TTYs sold over the past ten years. The landline equipment supported must not be limited to that used in Public Service Answering Points (911 centers).
13. That drive conditions must be supported, again using AMPS as a benchmark.

It is Mid-Missouri Cellular's understanding that each and every consumer item addressed above is available today in an AMPS environment. If you have responded that any of the items identified above are not technically feasible with the digital protocol which Mid-Missouri Cellular has deployed with your infrastructure equipment, please provide sufficient technical detail to enable Mid-Missouri Cellular to properly explain that limitation to the FCC. Also, please identify whether that limitation is inherent to your company's infrastructure equipment or an inherent limitation in the digital protocol.

Assuming that the FCC grants the initial waiver of the December 31, 1998 deadline for a digital carrier to comply with the requirements of Section 20.18, the FCC has indicated that it will require licensees to provide updates every three (3) months on the items set forth above in order for waivers request to remain in effect. These updates are to state the progress that has been or is being made toward implementation of TTY/digital capability. Therefore, we ask that you provide us with updates with respect to each of the items discussed above as soon as such information becomes available, but no less frequently than quarterly by the last business day of February, May, August and November.

Should you have any questions with respect to this matter. Please do not hesitate to contact me. In light of the extremely short time frame which the FCC has allowed for Mid-Missouri Cellular to seek a waiver, your prompt attention to this matter would be sincerely appreciated.

Sincerely,



Kathie Zentgraf
General Manager